

Excerpts
Planning Commission Minutes
August 14, 2002

Application No. ZM-66-02, York County Board of Supervisors: Request to amend the York County Zoning Map by reclassifying approximately 27 acres of land located on Old Williamsburg Road (Route 238) in the Lackey community from NB (Neighborhood Business) and R13 (High-Density Single-family Residential) to GB (General Business)

Mr. Mark Carter summarized his memorandum to the Commission dated August 1, 2002.

Mr. Simasek asked about buffers between business areas and residences that would become nonconforming, and Mr. Carter explained the areas that would require installation of 35-foot buffers. He added that some businesses would require use permits, thereby allowing the County an opportunity to mitigate external impacts by imposing certain conditions.

Responding to Mr. Semmes, Mr. Carter noted that all of the property owners who would be impacted by proposed rezonings have been notified by mail of this public hearing and none have contacted staff.

The Chair opened the public hearing. Hearing no one, the Chair closed the public hearing.

Mr. Heavner asked if the area proposed for rezoning could be expanded to include an adjacent parcel to the south. Mr. Carter indicated that the parcel in question is a wetlands mitigation site owned by the County and therefore is undevelopable.

Mr. Semmes expressed his concern about three specific properties proposed to be rezoned from R13 to GB, particularly one that would be made nonconforming. He said because the Commission has recommended approving the Comprehensive Plan redesignation [Resolution PC02-24], he could support this application if the staff would contact the owner of that particular structure to be sure the owner is fully aware of potential impacts on the property and knows he has the opportunity to speak to the Board before a final decision is made. Mr. Simasek agreed, but noted that the County conducted an informational meeting that Mr. Carter said was well attended and no property owners or residents have appeared at this meeting, which Mr. Simasek interpreted as the community's show of support.

PC02-25

On motion of Mr. Simasek, which carried 5:0 (Ptasznik and White absent), the following resolution was adopted:

A RESOLUTION TO RECOMMEND APPROVAL OF APPLICATION NO. ZM-66-02 TO AMEND THE YORK COUNTY ZONING MAP BY RECLASSIFYING APPROXIMATELY 27 ACRES OF LAND LOCATED ON OLD WILLIAMSBURG ROAD (ROUTE 238) IN THE LACKEY COMMUNITY FROM NB (NEIGHBORHOOD BUSINESS) AND R13 (HIGH DENSITY SINGLE FAMILY RESIDENTIAL) TO GB (GENERAL BUSINESS)

WHEREAS, the York County Board of Supervisors has sponsored Application No. ZM-66-02, which proposes that the reclassification of certain parcels in Lackey from NB-Neighborhood Business and R13-High Density Single Family Residential to GB-General Business; and

WHEREAS, the Board proposed this amendment in recognition of the designation of Lackey as a HUBZone under the federal Small Business Administration program guidelines and based on a concern that the full economic potential associated with the HUBZone status may not be able to be fully realized given the limited range of commercial opportunities allowed under the current NB-Neighborhood Business classification; and

WHEREAS, said application has been referred to the York County Planning Commission for review and recommendation in accordance with applicable procedures; and

WHEREAS, the Planning Commission has conducted a duly advertised public hearing on the application and has considered the input and recommendations provided by citizens and the staff; and

WHEREAS, the Commission has determined that it would be appropriate to recommend approval of the proposed reclassification in order to expand the range of commercial opportunities available in the Lackey community; and

WHEREAS, the Commission has determined that the proposed reclassification is consistent with the recommended amendments to the Comprehensive Plan.

NOW, THEREFORE, BE IT RESOLVED by the York County Planning Commission this the 14th day of August, 2002 that it does hereby recommend approval of the reclassification of the following parcels, as indicated:

- ? Reclassify from NB-Neighborhood Business to GB-General Business: Parcel Nos. – 17-37A, 17-106, 17-106A, 17-107, 17-108, 17-109, 17-110, 17-110A, 17-112, 17-113, 17-114, 17-114A, 17-114B, 17-115, 17-116, 17-118, 17-119, 17-120, 17-121, 17-128, 17-129, 17-129G, 17-130
- ? Reclassify from R13 to GB: Parcel Nos. – 17-67, 17-68, 17-71A
- ? Reclassify from R13 and NB to GB: Parcel Nos. – 17-65, 17-66, 17-8-1, 17-8-2, 17-8-3.
